

Anthony C. Valenziano, Esq.  
SHERMAN ATLAS SYLVESTER & STAMELMAN LLP  
1185 Avenue of the Americas, 2<sup>nd</sup> Floor  
New York, New York 10036  
(212) 763-6464  
Attorneys for Defendant  
JPMorgan Chase Bank, N.A.

SUPERB MOTORS INC., TEAM AUTO SALES LLC, ROBERT ANTHONY URRUTIA, 189 SUNRISE HWY AUTO LLC, NORTSHORE MOTOR LEASING, LLC, BRIAN CHABRIER, *individually and derivatively as a member of* NORTSHORE MOTOR LEASING, LLC, JOSHUA AARONSON, *individually and derivatively as a member of* 189 SUNRISE HWY AUTO, LLC, JORY BARON, 1581 HYLAN BLVD AUTO LLC, 1580 HYLAN BLVD AUTO LLC, 1591 HYLAN BLVD AUTO LLC, 1632 HYLAN BLVD AUTO LLC, 1239 HYLAN BLVD AUTO LLC, 2519 HYLAN BLVD AUTO LLC, 76 FISK STREET REALTY LLC, 446 ROUTE 23 AUTO LLC and ISLAND AUTO MANAGEMENT, LLC,

Plaintiffs,

v.

ANTHONY DEO, SARAH DEO, HARRY THOMASSON, DWIGHT BLANKENSHIP, MARC MERCKLING, MICHAEL LAURIE, THOMAS JONES, CPA, CAR BUYERS NYC INC., GOLD COAST CARS OF SYOSSET LLC, GOLD COAST CARS OF SUNRISE LLC, GOLD COAST MOTORS AUTOMOTIVE GROUP LLC, GOLD COAST MOTORS OF LIC LLC, GOLD COAST MOTORS OF ROSLYN LLC, GOLD COAST MOTORS OF SMITHTOWN LLC, UEA PREMIER MOTORS CORP., DLA CAPITAL PARTNERS INC., JONES, LITTLE & CO., CPA'S LLP, FLUSHING BANK, LIBERTAS FUNDING LLC, and J.P. MORGAN CHASE BANK, N.A.,

Defendants.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

Case No.: 2:23-cv-6188 (OEM)(JMW)

**NOTICE OF MOTION OF JPMORGAN  
CHASE BANK, N.A. TO DISMISS COUNTS  
ONE, TWO, FORTY-SEVEN AND FORTY-  
EIGHT OF PLAINTIFFS' FIRST AMENDED  
COMPLAINT PURSUANT TO FED. R. CIV. P.  
12(b)(6)**

**PLEASE TAKE NOTICE** that defendant JPMorgan Chase Bank, N.A. (“Chase”) by and through its attorneys, Sherman Atlas Sylvester & Stamelman LLP, will apply to the Honorable James M. Wicks, U.S.M.J., at the Long Island Courthouse, 100 Federal Plaza, Central Islip, New York, for an Order granting Chase’s Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) and dismissing Counts One, Two, Forty-Seven and Forty-Eight of the First Amended Complaint of plaintiffs with prejudice.

**PLEASE TAKE FURTHER NOTICE** that in support of said motion Chase will rely upon the (1) Memorandum of Law and (2) Certification of Anthony C. Valenziano attached herewith.

SHERMAN ATLAS SYLVESTER  
& STAMELMAN LLP

By: /s/ Anthony C. Valenziano  
ANTHONY C. VALENZIANO  
1185 Avenue of the Americas, 2<sup>nd</sup> Floor  
New York, NY 10036  
(212) 763-6464  
Attorneys for Defendant  
JPMorgan Chase Bank, N.A.

Dated: February 9, 2024